

Approved:



MATTHEW R. SHAHABIAN
Assistant United States Attorney

Before: THE HONORABLE SARAH L. CAVE
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA : SEALED COMPLAINT

- v. - : Violations of
YUSHANE CAMPBELL, : 18 U.S.C. §§ 922(g)(1),
a/k/a "Christopher Williams," : 924(a)(2), and (2)
a/k/a "Sunny Benjii," : COUNTY OF OFFENSE:
Defendant. : BRONX

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SOUTHERN DISTRICT OF NEW YORK, ss.:

ELVIS COLE, being duly sworn, deposes and says that he is a Detective with the Violent Crimes Squad of the New York City Police Department ("NYPD"), and charges as follows:

COUNT ONE

1. On or about April 26, 2021, in the Southern District of New York and elsewhere, YUSHANE CAMPBELL, a/k/a "Christopher Williams," a/k/a "Sunny Benjii," the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess ammunition, to wit, three Winchester nine-millimeter caliber cartridges, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and (2).)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Detective assigned to the Violent Crimes Squad of the NYPD, and I have been personally involved in the investigation of this matter. This affidavit is based upon my

personal participation in the investigation of this matter, my conversations with law enforcement agents, as well as my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part.

3. Based on my review of surveillance footage, my conversations with NYPD officers, and my review of reports prepared by NYPD officers, I know that on or about April 26, 2021, at approximately 7:48 a.m., a shootout (the "Shootout") occurred between two men in the vicinity of the intersection of White Plains Road and Penfield Street in the Bronx.

4. Based on my review of surveillance footage ("Video-1") recovered from the vicinity of 4769 White Plains Road, as well as my conversations with NYPD officers and reports prepared by NYPD officers who spoke to witnesses, I know that, approximately one minute prior to the Shootout, a man ("Suspect-1") standing on the sidewalk on White Plains Road gets into what appears to be a verbal dispute with someone sitting in a parked vehicle ("Car-1").

5. Based on my review of surveillance footage ("Video-2") recovered from the vicinity of 4759 White Plains, I have learned the following:

a. Immediately prior to the Shootout, Suspect-1 appears to be walking away from Car-1. Two men get out of Car-1, one from the driver's side (the "Driver") and one from the passenger's side (the "Passenger"). The Passenger walks towards Suspect-1.

b. Suspect-1 turns around and points his arm towards the Passenger in a manner that, based on my training and experience, I believe shows Suspect-1 is pointing a handgun at the Passenger. The Passenger responds to Suspect-1 by stepping backwards away from Suspect-1's outstretched arm.

c. When the Driver notices that Suspect-1 has his arm raised and pointed at the Passenger, the Driver in turn raises his arms in a manner that, based on my training and experience, I believe shows the Driver pointing a handgun at

Suspect-1. Suspect-1 ducks away from the Driver and runs southbound down White Plains Road.

d. Based on my review of Video-2, I know that Suspect-1 is wearing what appears to be a dark-colored hooded sweatshirt, grey pants with what appears to be a black marking on the upper thighs, and dark-colored sneakers.

6. Based on my review of surveillance footage ("Video-3") recovered from the vicinity of 4759 White Plains Road, I know that Suspect-1 runs only a short distance southbound on White Plains Road before ducking behind a minivan ("Car-2"), and then an SUV parked on White Plains Road ("Car-3"). Based on my review of Video-2, Video-3, two other surveillance videos recovered from the vicinity of 4759 White Plains Road ("Videos-4 and -5") and surveillance video recovered from the vicinity of 4770 White Plains Road ("Video-6"), I know that Suspect-1 and the Driver engage in the Shootout. A muzzle flash is visible in Video-3 from the handgun in Suspect-1's hand. After a short exchange of gunfire, Suspect-1 runs into a bodega (the "Bodega") across the sidewalk from Car-3. Suspect-1 is visibly limping and avoiding putting weight on his left leg. He is wearing what appears to be a black hooded sweatshirt, grey pants with two short black stripes running vertically down the side of the pants from the waist to the mid-thigh, and black sneakers.

a. Two pictures of Suspect-1 behind Car-2 taken from Video-4 appears below:



b. A picture of Suspect-1 behind Car-3 taken from Video-5 appears below:



c. A picture of Suspect-1 behind Car-3 taken from Video-6 appears below:



7. Based on my review of Video-5, I know that after Suspect-1 runs into the Bodega, Suspect-1, while holding what appears to be a handgun, examines his upper left thigh. He places his gun inside his jacket pocket and leaves the Bodega. A picture of Suspect-1 taken from Video-5 appears below:



8. Based on my review of Video-6, I know that when Suspect-1 exits the Bodega, he walks east across White Plains Road and down Penfield Street. He is limping and avoiding putting weight on his left leg. A picture of Suspect-1 taken from Video-6 showing him walking down Penfield Street appears below:



9. Based on my review of surveillance video ("Video-7") recovered from the vicinity of Penfield Street, I know that Suspect-1 walked down Penfield Street and entered a driveway in the vicinity of 716 Penfield Street. He is limping and favoring his left leg. A picture of Suspect-1 taken from Video-7 appears below:



10. Based on my conversations with NYPD officers and detectives and my review of law enforcement reports, I have learned that:

a. NYPD officers arrived on the scene of the Shootout less than 15 minutes after it began.

b. While canvassing the area, NYPD officers found a white iPhone (the "Cellphone") behind the vicinity of 718 Penfield Street. Based on my training and experience, as well as my review of law enforcement reports and conversations with NYPD officers and detectives, I know that the Cellphone was covered in blood and sustained damage consistent with being struck by a bullet.

c. Officers also recovered three shell casings (the "Suspect-1 Casings") from the vicinity of White Plains Road adjacent to Cars-2 and -3, which I have learned law enforcement officers determined were from 9 millimeter caliber cartridges. Officers also recovered five shell casings (the "Driver Casings") from the vicinity of Car-1, which law enforcement officers determined were from .40 caliber cartridges. Based on my training, experience, and investigation in this case, I know that this means the Suspect-1 Casings were discharged from a

different gun than the Driver Casings and that, based on the relative position of the casings to the surveillance video I reviewed, the Suspect-1 Casings were discharged by the gun fired by Suspect-1 and the Driver Casings were discharged by the gun fired by the Driver.

11. Based on my review of surveillance video ("Video-8") recovered from the Bodega, I know that Suspect-1 was inside the Bodega at approximately 7:46 a.m., two minutes before the Shootout. Two pictures of Suspect-1 taken from Video-8 appear below:



12. Based on my conversations with law enforcement officers, and my review of law enforcement reports prepared by NYPD officers and Mount Vernon Police Department ("MVPD") officers, body camera footage, and records provided by a hospital ("Hospital-1") located in the vicinity of Mount Vernon, New York, I have learned the following:

a. On or about April 26, 2021, at approximately 8:20 a.m., a man ("Man-1") walked into Hospital-1 with a gunshot wound in his upper left thigh. A MVPD officer interviewed Man-

1, who identified himself as "Christopher Williams" and gave the same date of birth as YUSHANE CAMPBELL, the defendant.

b. Surveillance video ("Videos-9, -10, and -11") provided by Hospital-1 shows Man-1 walking in Hospital-1 wearing a black t-shirt, grey sweatpants with two short black stripes running vertically down the side of the pants from the waist to the mid-thigh, and black sneakers. Pictures of Man-1 from Videos-9, -10, and -11 appear below:



13. Based on the foregoing, I believe that Suspect-1 and Man-1 are the same person. In addition, based on my comparison of Suspect-1 as depicted in Video-8, and Man-1 as depicted in Videos-9, -10, and -11, to a law enforcement photo ("Photo-1") of YUSHANE CAMPBELL, a/k/a "Christopher Williams," a/k/a "Sunny Benji," the defendant, I believe that Suspect-1 and Man-1 are CAMPBELL. Photo-1 appears below:



14. I have learned that, on or about April 29, 2021, law enforcement officers identified two social media profiles ("Users-1 and -2") on two social media websites ("Websites-1 and -2") as belonging to YUSHANE CAMPBELL, a/k/a "Christopher Williams, a/k/a "Sunny Benjii," the defendant. Specifically, based on law enforcement reports prepared using publicly available information from Websites-1 and -2, I have learned the following:

a. At the time law enforcement officers reviewed the public profiles for Users-1 and -2, both Users-1 and -2 used the same profile name, "Sunny Benjii," and the same profile picture ("Photo-2"). Photo-2 appears below (on the left hand side) next to Photo-1:



b. On CAMPBELL's birthday in 2020, another user of Website-1 wished User-1 a happy birthday.

c. One of the publicly available photos ("Photo-3") for User-2's profile on Website-2 shows a man who based on my comparison to Photo-1, I believe to be CAMPBELL, and who, based on hairstyle, appearance, and the same t-shirt and sun chain, I believe to be the same person as Man-1. Photo-3 (on the left hand side) appears below next to a picture taken from Video-10:



15. Based on the foregoing, there is probable cause to believe that YUSHANE CAMPBELL, a/k/a "Christopher Williams," a/k/a "Sunny Benjii," the defendant, is Suspect-1.

16. Based on my communications with a Special Agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives who is familiar with the manufacturing of firearm and ammunition and who reviewed photographs of the Suspect-1 Casings, I am aware that the Suspect-1 Casings are Winchester brand 9 millimeter spent shell casings that were not manufactured in the State of New York.

17. Based on my review of criminal history records pertaining to YUSHANE CAMPBELL, a/k/a "Christopher Williams," a/k/a "Sunny Benjii," the defendant, I know that:

a. CAMPBELL was convicted on or about July 12, 2013, in Bronx County Supreme Court, for Burglary in the Third Degree, in violation of New York Penal Law § 140.20, a class D felony, for which CAMPBELL was sentenced to 2 to 4 years' imprisonment.

b. CAMPBELL was convicted on or about February 1, 2010, in Bronx County Supreme Court, for Attempted Robbery in the Second Degree, in violation of New York Penal Law § 160.10, a class D felony, for which CAMPBELL was sentenced to 2 years' imprisonment.

WHEREFORE, deponent respectfully requests that YUSHANE CAMPBELL, a/k/a "Christopher Williams," a/k/a "Sunny Benjii," the defendant, be arrested, and imprisoned or bailed, as the case may be.

/s **Elvis Cole** (By Court with
Authorization)
Detective Elvis Cole
New York City Police Department

Sworn to before me by reliable
electronic means pursuant to Fed.
R. Cr. P. 4.1 & 41(d) (3) this
20th day of August, 2021



THE HONORABLE SARAH L. CAVE
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK